

**MIAMI COUNTY BOARD OF COMMISSIONERS  
25 NORTH BROADWAY  
PERU, INDIANA 46970  
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JANUARY 8, 2007**

Commissioner Hawley called the weekly meeting of the Board of Commissioners to order.

**CITIZEN COMPLAINT OF HOG CONFINEMENT**

Kelly Shanley and his wife Becky voiced objections to the locating of an 8,000 animal hog confinement facility. Mr. Shanley stated that the building is to be located 1 and a half miles from their home. They have a concern over the environment and their water supply being contaminated. Commissioner Deeds explained that the application goes through IDEM and that as long as they meet the zoning and set back requirements of the County, there is nothing the Board can do. The Board directed Mr. and Mrs. Shanley to speak with Darrell Wooten to be sure all the rules and regulations are in place and the Auditor informed the couple that the phone number and address for IDEM could be received from her office.

**NOT FOR PROFITS CONCERNS AND REQUEST**

Hershel Manhart from Helping Hands and Debbie Miser from United Way asked the Board if they could facilitate a meeting with the County trustees to work out some communication issues and try to develop a procedure to better assist the citizens that all parties are trying to help. Mr. Manhart said that there are some questions as to the guidelines and what procedures are followed. Commissioner Boyer said he feels the Board should call a meeting to discuss this issue with all parties. Mr. Manhart said 4 County, area 5 and all others should be at the meeting as well. Commissioner Hawley said that if they could contact the not for profits the County will contact the trustees. After some discussions a date of January 29, 2007 was set for 7:00 pm in the GAR Room. Mrs. Miser introduced the Board to Sandy Chittum who is the new Chamber of Commerce Director. Ms. Chittum told the Board that there are 14 new members to the Chamber and reminded them of the Annual Dinner on February 17, 2007.

**HISTORICAL SOCIETY**

Jeff Price asked the Board's permission to give a presentation to the Miami County Historical Society on the architectural design of the Court House. The meeting is on January 24, 2007 and begins at 7:00 pm. Mr. Price said he thought it would be of interest if copies of the original blue prints of the building were made and displayed. The Board said they would allow the Historical Society access to the building but the Board will have to check with the contractors that will be cleaning the inside walls of the building during that time period.

**TOBACCO AWARENESS GROUP**

Mike Wilson told the Board that he had brought before them on November 9, 2006 a model Ordinance to make Miami County smoke free in all public buildings and businesses. The Board said the County Attorney has the document. Commissioner Hawley said there has been a lot of discussion but no date is set to address this issue. Commissioner Hawley said the Board members have spoken with a lot of County citizens and businesses in order to find out what impact this Ordinance would do. Commissioner Boyer said that there would have to be a public hearing and there are lots of hoops the Board would have to go through so this will not be a quick process. Mr. Wilson thanked them for their time and said he would check in at a later date.

**MINUTES**

A motion was made by Commissioner Deeds to approve the minutes. The motion was 2<sup>nd</sup> by Commissioner Boyer and passed 3-0.

**BOARD OF FINANCE MEETING**

The Board received a notice from the County Treasurer concerning the setting of a date to hold the Board of Finance Meeting. A date of February 5, 2007 at 1:30 pm was set.

**CLAIMS AND PAYROLL**

A motion was made by Commissioner Boyer to pay the claims and payroll. The motion was 2<sup>nd</sup> by Commissioner Deeds and passed 3-0.

**YMCA MIAMIGO**

David Quick brought the December and 4<sup>th</sup> Quarter report to the Board. A motion to sign the invoice for MIAMIGO reimbursement was made by Commissioner Boyer. The motion was 2<sup>nd</sup> by Commissioner Deeds and passed 3-0.

**PERU TOWNSHIP TRUSTEE**

Mike Chittum told the Board he is following up on a conversation he had with Commissioner Hawley last week. He is requesting the County put Cathy Smith as a full time employee. Mr. Chittum said he was under the impression that he was to go to the County Council first. Now he is told the request has to be in the Board of Commissioners minutes and he wants it entered that he is requesting the full time status of Cathy Smith. Mr. Chittum stated that State Statute states he is the one to hire deputies but admits that if the position is not funded it is not enforceable. Mr. Chittum said with the illness and absence of his 1<sup>st</sup> Deputy since the first week of December his office has suffered. Mr. Chittum said that with the changes in mobile homes assessment from the State he has no idea when he will be able to get the work done. He also stated that Ms. Smith has been a valued employee for 4 years and if she were full time she could get her certification levels 1 and 2. Commissioner Deeds said that he had spoken with Mike and was disappointed when the Board hired a new float position and he said he had no work for her in his office. Commissioner Deeds said that surely he had filing and things that need done in order to free up his part time help. Commissioner Deeds asked how many hours Mrs. Smith is working. Mr. Chittum said 35 hours per week. Commissioner Deeds said he does not see any benefit to making her full time. The only reason Mr. Chittum said is to give her benefits. Commissioner Hawley said that changing her status will not change the working operations of the office. Mr. Chittum said we all took an oath of office and he feels that education is paramount. Commissioner Hawley said a few months ago the Board found it necessary to move the sales disclosures and scanning up to the County Assessors office because Mr. Chittum said the machine did not work and they could not do the job and when the equipment was moved, it was found to work efficiently. Commissioner Hawley said that Mr. Chittum would need more documentation that he is effectively doing the job. The Board also said they need information to prove they need another full time position. Commissioner Deeds said he could see the need for additional part time help but not a full time position. Mr. Chittum thanked them for their time and said he would be back.

#### COUNTY ATTORNEY/GRUND

David Grund told the Board he had the Engineering Service Agreement from Stand & Associates concerning indemnification. The Board instructed him to discuss the issues with the County Engineer, Ken Einselen to resolve any legal issues he has with the agreement.

#### JAIL DOCTOR

David Grund said that the jail doctor issue is being reviewed and the current contract with Dr. Hoover can be revoked by either party in a specific manner. No further action was taken. It is noted that the Sheriff has proposals from other sources concerning medical care of inmates he is considering to present to the Board of Commissioners.

#### TECHNOLOGY

John Powell told the Board the County has an issue with e mail spam. He asked permission to purchase a span firewall for \$2,805.41. Commissioner Deeds made a motion to purchase the firewall out of the appropriate fund. The motion was 2<sup>nd</sup> by Commissioner Boyer and passed 3-0.

#### STEVE MOORE

Mr. Moore represents CLS Benefits and he asked if the Board had implemented any wellness program. He said for \$495 a year they could provide that service for the County but he did encourage the Board to implement one whether it is with his company or not.

#### ANIMAL CONTROL/CREMATORY

The Board received an update from Commissioner Hawley concerning the quote from R&K for a crematory for Animal Control. Commissioner Hawley mailed a copy of the information along with a cover letter to IDEM for prior approval to purchasing this item. The cost for the machine is \$6,155 and a delivery charge of \$125 will be applied to cost when shipped.

#### APPOINTMENTS BY THE BOARD

Commissioner Hawley said that Mr. Don Haggenbush has agreed to serve another term on the Plan Commission. A motion to approve the reappointment of Mr. Haggenbush was made by Commissioner Deeds and 2<sup>nd</sup> by Commissioner Boyer. The motion passed 3-0.

#### ZONING APPEALS

The Board said they are still trying to replace Lonnie Harts.

#### HEALTH BOARD

A correction to the date of expiration for the replacement of Helene Banina to 2008 was made. Dr. John Crawshaw replaced Mrs. Banina in order to fill out her term of service. It is also noted that Dr. Savage's term ends in 2007 and not 2008.

#### COVERED BRIDGE CERTIFICATE

A motion was made by Commissioner Deeds to sign the covered bridge certificate stating that Miami County has no covered bridges. The motion was 2<sup>nd</sup> by Commissioner Boyer and passed 3-0.

#### AIC NOTICE/MANDATES

The Board received a letter from David Botorff in regards to the LAIC supporting legislature to limit the mandates allowed by Judges. Commissioner Hawley said this is one step and a small victory for Counties.

#### ESTATES AT EAGLES POINTE CONCERN

The Board received a letter from the Miami County Democrat Party Chair. Mrs. Berkshire expressed concerns about the subdivision not allowing residents to be registered to vote. Mr. Hawley said he spoke with her and he questions whether or not they can stop that activity to homes that have been purchased by individuals. The property is not owned in its entirety by the corporation. Commissioner Boyer said he will give the Attorney General one more week before he contacts them again concerning the assessed valuation and taxes that Carmine Gentile brought before the Board as a problem.

#### THE CLEANING MAN PROPOSAL

The Board discussed the fact that the proposal by The Cleaning Man cannot be found. The Board, Auditor nor the Cleaning Man has a copy of it. A motion was made by Commissioner Deeds to have the Auditor look in the minutes and report back if they acted upon the proposal. The motion was 2<sup>nd</sup> by Commissioner Hawley and passed 3-0.

#### DOXPOP

A motion was made by Commissioner Deeds to sign the DoxPop agreement adding 3 departments and forgoing the profit sharing portion of the old agreement. The motion was 2<sup>nd</sup> by Commissioner Boyer and passed 3-0.

#### HIGHWAY ISSUES

Ken Einselen brought the claim for reimbursement for 675East. This is to begin the reimbursement process to the County. A motion to sign the claim was made by Commissioner Deeds. The motion was 2<sup>nd</sup> by Commissioner Boyer and passed 3-0.

#### BRIDGE CONFERENCE

Mr. Einselen informed the Board that he will be attending the conference but will be checking to see if his intern can attend. He thinks this would be an educational benefit to his intern.

#### BLISS MCKNIGHT CERTIFICATES

The Board received the safety certificates for the Highway Department employees. The Board of Commissioners signed the certificates and gave them to Sam Waltz for distribution.

Mr. Waltz and the Board discussed taking down a railroad crossing at 950 East.

LAP Claim

The Board received a voucher for right of way for \$14,440. This voucher covers previously submitted claims and Mr. Einselen wishes the Board to sign and he will see if it is needed to submit or a duplication. The Board signed the voucher.

A motion to adjourn was made by Commissioner Deeds. The motion was 2<sup>nd</sup> by Commissioner Hawley and passed 2-0. Commissioner Boyer had already left the meeting.

THE MIAMI COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_, Chairman

\_\_\_\_\_, Vice Chairman

\_\_\_\_\_, Member

Attest: \_\_\_\_\_, Auditor